

Aaron Joseph Ver, Bar No. 295409
Aver@perkinscoie.com
 PERKINS COIE LLP
 505 Howard Street, Suite 1000
 San Francisco, California 94105
 Telephone: 415.344.7000
 Facsimile: 415.344.7050

Robert A. Burgoyne (admitted *pro hac vice*)
RBurgoyne@perkinscoie.com
 Caroline M. Mew (admitted *pro hac vice*)
CMew@perkinscoie.com
 PERKINS COIE LLP
 700 Thirteenth Street, N.W., Suite 800
 Washington, D.C. 20005-3960
 Telephone: 202.654.6200
 Facsimile: 202.654.6211

Attorneys for Defendants
 NATIONAL BOARD OF MEDICAL EXAMINERS,
 and FEDERATION OF STATE MEDICAL BOARDS, INC.

Eric G. Young, Bar No. 190104
eyoung@younglawca.com
 YOUNG LAW GROUP
 411 Russell Avenue, Second Floor
 Santa Rosa, California 95403
 Telephone: 707.527.3637
 Facsimile: 707.289.8059

Attorneys for Plaintiff
 CORNELL WELLS, JR.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CORNELL WELLS, JR.,

Plaintiff,

v.

NATIONAL BOARD OF MEDICAL
 EXAMINERS, a not-for-profit corporation,
 FEDERATION OF STATE MEDICAL
 BOARDS, INC., a not-for-profit corporation,

Defendants.

Case No. 3:21-cv-01279-JSC

**JOINT MOTION TO VACATE
 SETTLEMENT CONFERENCE**

Date: October 13, 2022
 Time: 9:00 a.m.
 Judge: Hon. Jacqueline Scott Corley

1 PLEASE TAKE NOTICE that, on October 13, 2022 or as soon thereafter as the matter
2 may be heard, Plaintiff Cornell Wells, Jr. (“Dr. Wells”) and Defendants National Board of
3 Medical Examiners (“NBME”) and Federation of State Medical Board (“FSMB”) (collectively,
4 the “parties”) will respectfully move to vacate the settlement conference currently scheduled in
5 this matter for September 20, 2022 -- assuming this motion has not already been decided by the
6 Court.

7 In support of this motion, the parties state that on August 23, 2022, Eric Young, counsel
8 for Dr. Wells, filed a motion to withdraw, explaining that “a substantial and irremediable
9 breakdown has occurred in the attorney-client relationship with Plaintiff, which cannot be cured,
10 such that withdrawal is the only reasonable course of action.” (Dkt. 89 at 2). Defendants NBME
11 and FSMB have filed a statement of non-opposition to the motion to withdraw. (Dkt. 91).

12 The Court has not yet ruled on Mr. Young’s motion to withdraw, which is scheduled to be
13 heard by the Court on September 29, 2022. The Court has vacated a Case Management
14 Conference because of the motion to withdraw, however, and the parties have suspended their
15 discovery efforts pending resolution of the motion to withdraw.

16 The parties seek to postpone any settlement conference until after the Court has ruled on
17 Mr. Young’s motion, new counsel has been retained (assuming the Court grants the motion to
18 withdraw as counsel and that Dr. Wells then obtains new counsel), and the pretrial deadlines have
19 been re-set.

20 Wherefore, the parties respectfully request that the Court vacate or continue the settlement
21 conference currently scheduled for September 20, 2022 at 9:30 a.m., and adjourn all related
22 deadlines for submissions to the Magistrate Judge and/or exchanges between the parties.
23
24
25
26
27
28

1 DATED: September 7, 2022

Respectfully submitted,

3 **PERKINS COIE LLP**

4
5 By /s/ Robert A. Burgoyne
6 Aaron J. Ver
7 Robert A. Burgoyne
8 Caroline M. Mew

9 Attorneys for Defendants
10 NATIONAL BOARD OF MEDICAL
11 EXAMINERS, and FEDERATION OF
12 STATE MEDICAL BOARDS, INC.

13 DATED: September 7, 2022

YOUNG LAW GROUP

14 By /s/ Eric G. Young
15 Eric G. Young

16 Attorneys for Plaintiff
17 CORNELL WELLS, JR.